
PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 6) TO PROVIDE FOR EXPEDITED APPROVAL OF EXPORTATION OF NATURAL GAS TO WORLD TRADE ORGANIZATION COUNTRIES, AND FOR OTHER PURPOSES; AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3301) TO REQUIRE APPROVAL FOR THE CONSTRUCTION, CONNECTION, OPERATION, OR MAINTENANCE OF OIL OR NATURAL GAS PIPELINES OR ELECTRIC TRANSMISSION FACILITIES AT THE NATIONAL BOUNDARY OF THE UNITED STATES FOR THE IMPORT OR EXPORT OF OIL, NATURAL GAS, OR ELECTRICITY TO OR FROM CANADA OR MEXICO, AND FOR OTHER PURPOSES

June 23, 2014.—Referred to the House Calendar and ordered to be printed.

MR. BURGESS, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res.____]

The Committee on Rules, having had under consideration House Resolution____, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 6, the Domestic Prosperity and Global Freedom Act, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-48 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in part A of this report. Each such amendment may be offered only in the order printed in this report, may be

offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part A of this report. The rule provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 3301, North American Energy Infrastructure Act, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-49 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in part B of this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part B of this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 6, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver all points of order against the amendment in the nature of a substitute to H.R. 6 made in order as original text includes a waiver of clause 7 of rule XVI, which provides that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. While the waiver is necessary under the rule, it is important to note that Rules Committee Print 113-48, contains the text of the bill as reported by the Committee on Energy and Commerce.

Although the resolution waives all points of order against the amendments printed in part A of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 3301, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment in the nature of a substitute to H.R. 3301 made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part B of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 145

Motion by Mr. McGovern to amend the rule to H.R. 6 to make in order and provide the appropriate waivers for amendment #4, offered Rep. Garamendi (CA), which clarifies that a viable merchant marine is in the public interest and should be taken into consideration when processing applications under section 3 of the Natural Gas Act. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	Yea
Mr. Cole.....		Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....	Nay		
Mr. Webster.....	Nay		
Ms. Ros-Lehtinen.....	Nay		
Mr. Burgess.....			
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 146

Motion by Mr. McGovern to report open rules for H.R. 6 and H.R. 3301. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	Yea
Mr. Cole.....		Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....	Nay		
Mr. Webster.....	Nay		
Ms. Ros-Lehtinen.....	Nay		
Mr. Burgess.....			
Mr. Sessions, Chairman.....	Nay		

SUMMARY OF THE AMENDMENTS TO H.R. 6 IN PART A MADE IN
ORDER

1. MANAGER'S AMENDMENT Gardner (CO), Green, Gene (TX): Strikes the subsection requiring a 90 day decision deadline and replace it with a 30 day decision deadline requiring DOE to issue a final decision on applications to export LNG following the conclusion of the NEPA environmental review of the LNG facilities. For the purposes of the 30 day decision deadline, the NEPA review would be considered concluded: for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement; for a project for which an Environmental Assessment has been prepared, 30 days after publication by DOE of a Finding of No Significant Impact; and upon determination by the lead agency that an application is eligible for a Categorical Exclusion pursuant to NEPA. (10 minutes)
2. Holt (NJ), Quigley (IL): Requires the Secretary of Energy, before approving any natural gas exports, to make a public interest determination in consideration of how exports will affect domestic natural gas prices, jobs and manufacturing, and other factors. (10 minutes)
3. DeFazio (OR): Requires an applicant to disclose any intention to use eminent domain for any construction necessary for LNG exports. (10 minutes)
4. Turner (OH), Ryan, Tim (OH): Expresses the sense of Congress that it is in the public interest of the United States to approve the export of U.S. natural gas under section 3 of the Natural Gas Act. (10 minutes)

SUMMARY OF THE AMENDMENTS TO H.R. 3301 IN PART B MADE IN
ORDER

1. Pallone (NJ): Ensures that the complete length of cross-border projects would be subject to full environmental review under the National Environmental Policy Act (NEPA). (10 minutes)
2. Waxman (CA): Excludes any project with a pending permit application from the new approval requirements in the bill. (10 minutes)
3. Welch (VT), Pingree (ME), Kuster, Ann (NH), Shea-Porter (NH): Ensures pipeline modifications receive a thorough environmental review process. (10 minutes)

PART A—TEXT OF AMENDMENTS TO H.R. 6 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARDNER OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

3

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 6
OFFERED BY MR. GARDNER OF COLORADO**

Redesignate subsection (b) of section 2 as subsection
(c).

Strike subsection (a) of section 2 and insert the following:

1 (a) **DECISION DEADLINE.**—For proposals that must
2 also obtain authorization from the Federal Energy Regu-
3 latory Commission or the United States Maritime Admin-
4 istration to site, construct, expand, or operate LNG export
5 facilities, the Department of Energy shall issue a final de-
6 cision on any application for the authorization to export
7 natural gas under section 3 of the Natural Gas Act (15
8 U.S.C. 717b) not later than 30 days after the later of—

9 (1) the conclusion of the review to site, con-
10 struct, expand, or operate the LNG facilities re-
11 quired by the National Environmental Policy Act of
12 1969 (42 U.S. C. 4321 et seq.); or

13 (2) the date of enactment of this Act.

1 (b) CONCLUSION OF REVIEW.—For purposes of sub-
2 section (a), review required by the National Environ-
3 mental Policy Act of 1969 shall be considered concluded—

4 (1) for a project requiring an Environmental
5 Impact Statement, 30 days after publication of a
6 Final Environmental Impact Statement;

7 (2) for a project for which an Environmental
8 Assessment has been prepared, 30 days after publi-
9 cation by the Department of Energy of a Finding of
10 No Significant Impact; and

11 (3) upon a determination by the lead agency
12 that an application is eligible for a categorical exclu-
13 sion pursuant National Environmental Policy Act of
14 1969 implementing regulations.

In subsection (c) of section 2, as so redesignated, by
inserting “final” before “decision” each place it appears.



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLT
OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 6
OFFERED BY MR. HOLT OF NEW JERSEY**

Page 1, line 5, strike “The Department” and insert
“Except as provided in section 3(a)(2)(C) of the Natural
Gas Act, as added by section 4 of this Act), the Depart-
ment”.

At the end of the bill, add the following new section:

**1 SEC. 4. AUTHORIZATION FOR THE EXPORTATION OF NAT-
2 URAL GAS.**

3 Section 3(a) of the Natural Gas Act (15 U.S.C.
4 717b(a)) is amended—

5 (1) by inserting before “After six months from
6 the date on which” the following: “(1) AUTHORIZA-
7 TION FOR THE IMPORTATION OF NATURAL GAS.—”;

8 (2) by striking “export any natural gas from
9 the United States to a foreign country or”;

10 (3) by striking “exportation or”; and

11 (4) by adding at the end the following new
12 paragraphs:

13 “(2) AUTHORIZATION FOR THE EXPORTATION OF
14 NATURAL GAS.—

1 “(A) PROHIBITION.—No person may export
2 any natural gas from the United States to a foreign
3 country without first having secured an order of the
4 Secretary of Energy authorizing such person to do
5 so.

6 “(B) ISSUANCE OF ORDERS.—The Secretary of
7 Energy may issue an order authorizing a person to
8 export natural gas from the United States to a for-
9 eign country, upon application, if the Secretary de-
10 termines that the proposed exportation will be con-
11 sistent with the public interest, in accordance with
12 the regulations issued under paragraph (3)(B). The
13 Secretary may by order grant such application, in
14 whole or in part, with such modification and upon
15 such terms and conditions as the Secretary may find
16 necessary or appropriate.

17 “(C) TIMING.—No order may be issued by the
18 Secretary of Energy under this paragraph prior to
19 the date on which the Secretary issues final regula-
20 tions under paragraph (3)(B).

21 “(3) PUBLIC INTEREST DETERMINATION.—

22 “(A) NEPA REVIEW.—The Secretary of Energy
23 shall issue a detailed statement under section
24 102(2)(C) of the National Environmental Policy Act
25 of 1969 (42 U.S.C. 4332(2)(C)) of the environ-

1 mental impact of the issuance of orders under para-
2 graph (2), including by conducting an analysis of the
3 impacts of extraction of exported natural gas on the
4 environment in communities where the natural gas
5 is extracted.

6 “(B) REGULATIONS.—

7 “(i) DEADLINE.—Not later than 2 years
8 after the date of enactment of this paragraph,
9 the Secretary of Energy shall issue final regula-
10 tions, after notice and public comment, for de-
11 termining whether an export of natural gas
12 from the United States to a foreign country is
13 in the public interest for purposes of issuing an
14 order under paragraph (2).

15 “(ii) CONTENTS.—Regulations issued
16 under this paragraph shall require the Sec-
17 retary of Energy to determine, with respect to
18 each application for export of natural gas from
19 the United States to a foreign country, whether
20 such export is in the public interest through—

21 “(I) use of the latest available data on
22 current and projected United States nat-
23 ural gas demands, production, and price;

24 “(II) consideration of the effects of
25 such natural gas exports on—

1 “(aa) household and business en-
2 ergy expenditures by electricity and
3 natural gas consumers in the United
4 States;

5 “(bb) the United States economy,
6 jobs, and manufacturing, including
7 such effects on wages, investment,
8 and energy intensive and trade ex-
9 posed industries, as determined by the
10 Secretary;

11 “(cc) the energy security of the
12 United States, including the ability of
13 the United States to reduce its reli-
14 ance on imported oil;

15 “(dd) the conservation of domes-
16 tic natural gas supplies to meet the
17 future energy needs of the United
18 States;

19 “(ee) the potential for natural
20 gas use in the transportation, indus-
21 trial, and electricity sectors of the
22 United States;

23 “(ff) the ability of the United
24 States to reduce greenhouse gas emis-
25 sions;

1 “(gg) the volume of natural gas
2 produced on public lands in the
3 United States, and where such nat-
4 ural gas is consumed;

5 “(hh) domestic natural gas sup-
6 ply and availability, including such ef-
7 fects on pipelines and other infra-
8 structure;

9 “(ii) the balance of trade of the
10 United States; and

11 “(jj) other issues determined rel-
12 evant by the Secretary; and

13 “(III) consideration of the detailed
14 statement issued under subparagraph (A).

15 “(4) EXEMPTIONS.—Paragraph (2) does not apply
16 with respect to any order authorizing the exportation of
17 natural gas if the natural gas that would be exported as
18 a result of the order is exported solely to meet a require-
19 ment imposed pursuant to section 203 of the International
20 Emergency Economic Powers Act (50 U.S.C. 1702), sec-
21 tion 5(b) of the Trading with the Enemy Act (50 U.S.C.
22 App. 5(b)), or part B of title II of the Energy Policy and
23 Conservation Act (42 U.S.C. 6271 et seq.). In such cases,

1 the Secretary of Energy may issue such order upon appli-
2 cation without modification or delay.”.



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DEFAZIO OF OREGON OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 6
OFFERED BY MR. DEFAZIO OF OREGON**

Page 2, line 22, insert “and publically disclose the
applicant’s intention to use eminent domain for any con-
struction necessary for such authorized LNG exports”
after “authorized LNG exports”.



4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TURNER OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

ER

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 6
OFFERED BY MR. TURNER OF OHIO**

At the end of the bill, add the following new section:

1 **SEC. 4. SENSE OF CONGRESS ON PROMOTING ENERGY SE-**
2 **CURITY WITH STRATEGIC ALLIES.**

3 (a) FINDINGS.—The Congress finds that the ap-
4 proval of exports of United States natural gas under sec-
5 tion 3 of the Natural Gas Act—

6 (1) will create American jobs, diversify world
7 natural gas supplies, and increase competition in the
8 global marketplace; and

9 (2) will help provide our strategic allies with ac-
10 cess to alternative sources of energy and greater ne-
11 gotiation leverage, reducing their dependence upon
12 one source or unstable regions for energy.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that it is in the public interest of the United States
15 to approve the export of United States natural gas under
16 section 3 of the Natural Gas Act, which will help boost
17 American job creation, diversify world natural gas sources,

- 1 increase global market competition, and enhance our stra-
- 2 tegic allies' energy security.



PART B—TEXT OF AMENDMENTS TO H.R. 3301 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
PALLONE JR. OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3301
OFFERED BY MR. PALLONE OF NEW JERSEY**

Page 1, line 18, strike “a cross-border segment of”.

Page 2, beginning on line 3, strike “a certificate of crossing for” and insert “approval of”.

Page 2, line 5, strike “the cross-border segment” and insert “the pipeline or facility”.

Page 2, line 6, strike “CERTIFICATE OF CROSSING” and insert “APPROVAL”.

Page 2, line 10, strike “cross-border segment” and insert “project”.

Page 2, beginning on line 14, strike “issue a certificate of crossing for the cross-border segment” and insert “approve such project”.

Page 2, line 17, strike “of the cross-border segment”.

Page 3, line 3, strike “a certificate of crossing for” and insert “approval of”.

Page 3, beginning on line 4, strike “a cross-border segment of”.

Page 3, line 7, strike “issuing the certificate of crossing for” and insert “approving”.

Page 3, beginning on line 8, strike “the cross-border segment of”.

Page 3, beginning on line 16, strike “the cross-border segment of”.

Page 3, beginning on line 20, strike “a cross-border segment of”.

Page 4, line 1, strike “cross-border segment” and insert “pipeline or facility”.

Page 4, line 7, strike “a certificate of crossing for” and insert “approval of”.

Page 4, line 21, strike “a certificate of crossing for” and insert “approval of”.

Page 4, beginning on line 22, strike “of a cross-border segment”.

Page 6, line 24, strike “, or any cross-border segment thereof”.

Page 7, line 2, strike “certificate of crossing” and insert “approval”.

Page 7, beginning on line 14, strike “a certificate of crossing for the cross-border segment” and insert “approval”.

Page 8, strike lines 7 through 11.



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WAXMAN OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

2

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3301
OFFERED BY MR. WAXMAN OF CALIFORNIA**

Strike section 3(c)(4) and insert the following:

- 1 (4) if an application for a permit described in
- 2 section 6 for such construction, connection, oper-
- 3 ation, or maintenance, or for a substantially similar
- 4 project, is pending on the date of enactment of this
- 5 Act.



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WELCH
OF VERMONT OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 3301
OFFERED BY MR. WELCH OF VERMONT**

Page 7, line 3, insert “minor” before “modification”.

Page 7, line 6, insert “, such as a change in owner-
ship” after “facility”.

Page 8, strike lines 12 through 17.

